

Request For Board Action

REFERRED TO BOARD: August 24, 2022

AGENDA ITEM NO: 11

ORIGINATING DEPARTMENT: Police Department

SUBJECT: An Ordinance authorizing the extension of the intergovernmental agreement between the Antioch Police Department and the Board of Education Community High School District 117

To allow continued collaboration in the sharing and exchanging of certain information involving the commission of certain criminal offenses by students of Community High School District 117, the Police Department is requesting the Board authorize an extension of the Reciprocal Reporting Agreement (Exhibit A), which was entered into in 2012.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED: Exhibit A- Existing Reciprocal Reporting Agreement between the Village of Antioch Police Department and Community High School District 117.

RECOMMENDED MOTION:

Motion to approve an ordinance authorizing the extension of the current intergovernmental agreement between the Antioch Police Department and the Board of Education Community High School District 117, waiving the second reading.

VILLAGE OF ANTIOCH

ORDINANCE NO. 22-_____

AN ORDINANCE AUTHORIZING THE EXTENSION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE ANTIOCH POLICE DEPARTMENT AND THE BOARD OF EDUCATION OF ANTIOCH COMMUNITY HIGH SCHOOL DISTRICT 117

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

_____, 2022

Published in pamphlet form by authority of the Board of Trustees
of the Village of Antioch, Lake County, Illinois,
this _____ day of _____, 2022

SCOTT J. GARTNER	President	BRENT C. BLUTHARDT	Trustee
		PETRINA BURMAN	Trustee
LORI K. ROMINE	Clerk	MARY C. DOMINIAK	Trustee
		ED MACEK	Trustee
OTTOSEN DINOLFO HASENBALG		MARY PEDERSEN	Trustee
& CASTALDO, LTD.	Attorney §	SCOTT PIERCE	Trustee

ORDINANCE 22-_____

AN ORDINANCE AUTHORIZING THE EXTENSION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE ANTIOCH POLICE DEPARTMENT AND THE BOARD OF EDUCATION OF ANTIOCH COMMUNITY HIGH SCHOOL DISTRICT 117

WHEREAS, the Village of Antioch, Illinois (the “Village”) is a non-home rule municipality organized and operating under the Illinois Municipal Code (65 ILCS 5/1-1-1, *et seq.*); and

WHEREAS, the Mayor, who is also the President of the Village (the “President”), and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) are committed to keeping students while in school; and

WHEREAS, pursuant to the Intergovernmental Cooperation Act (5 ILCS 220/1, *et seq.*) (the “Act”), the Constitution of the State of Illinois of 1970 (the “Illinois Constitution”) and various other provisions of law, the Village is permitted to enter into agreements; and

WHEREAS, Section 5 of the Act (5 ILCS 220/5) provides that public agencies, including municipalities and school districts, may contract to perform any governmental service, activity or undertaking or to combine, transfer or exercise any powers, functions, privileges or authority not prohibited by law; and

WHEREAS, Article VII, Section 10 of the Illinois Constitution provides that units of local government and school districts may contract or otherwise associate among themselves; and

WHEREAS, the Act and the Illinois Constitution give the Village the authority to enter into agreements with school districts such as Antioch Community High School District 117 (the “School District”); and

WHEREAS, Subsection 10-20.14(b) of the School Code (105 ILCS 5/10-20.14(b)) authorizes parent-teacher advisory committees and local law enforcement agencies to develop, with school boards, policy guideline procedures to establish and maintain a reciprocal reporting system regarding criminal offenses committed by students; and

WHEREAS, based on the foregoing, the Village and the School District previously entered into an agreement (the “Agreement”), attached hereto and incorporated herein as Exhibit A; and

WHEREAS, pursuant to the terms of the Agreement, the Antioch Police Department and the School District would share information about certain criminal offenses; and

WHEREAS, the Corporate Authorities have determined that it is advisable, necessary and in the best interests of the Village and its residents to approve and authorize the execution of an extension to the Agreement with terms substantially the same as the Agreement; and

WHEREAS, the President is authorized to enter into and the attorney for the Village (the “Village Attorney”) is authorized to revise agreements for the Village making such insertions, omissions and changes consistent with the authorizations set forth and established by the Village Board;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Antioch, County of Lake, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 1. Incorporation Clause.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 2. Purpose.

The purpose of this Ordinance is to enter into, approve and execute the extension of the Intergovernmental Agreement between the Antioch Police Department and the Board of Education Antioch High School District 117 and to authorize the President or his designee, to execute all necessary documents and perform all necessary acts to effectuate the intent of this Ordinance, including the expenditure of all necessary funds.

**ARTICLE II.
AUTHORIZATION**

Section 3. Authorization.

The Corporate Authorities hereby approve the extension of Agreement, with such insertions, omissions and changes as shall be approved by the President and the Village Attorney. The Corporate Authorities authorize and direct the President or his designee to enter into, execute and approve the Agreement, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Ordinance. The Corporate Authorities further authorize the President or his designee to undertake all publication requirements provided by law and all other requirements of law to effectuate the intent of this Ordinance. The Corporate Authorities further authorize the President or his designee to exercise any and all rights provided to the Village under the terms of the Agreement. The Village Clerk is hereby authorized and directed to attest to and countersign the Agreement, or any modifications thereof, and any other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and effectuate the purpose of this Ordinance and shall take all action necessary in conformity therewith. The Village is authorized to allocate and spend all necessary funds to fulfill the requirements of the Agreement, or of an agreement with terms substantially the same as the terms of the Agreement, and of this Ordinance.

Section 4. Acts of Village Officials.

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

Section 5. Headings.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for convenience of reference and form no substantive part of this Ordinance; nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 6. Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, subparagraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, subparagraph, section or part shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section or part thereof been included.

Section 7. Superseder.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 8. Publication.

A full, true and complete copy of this Ordinance shall be published in book or pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 9. Effective Date.

This Ordinance shall be effective and in full force immediately upon passage and approval as provided by law.

PASSED this _____ day of _____, 2022.

AYES:

ABSENT:

ABSTENTION:

APPROVED by me this _____ day of _____, 2022.

SCOTT J. GARTNER
Mayor, Village of Antioch, Illinois

LORI K. ROMINE
Clerk, Village of Antioch, Illinois

STATE OF ILLINOIS)
)
COUNTY OF LAKE) SS

CLERK’S CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed and acting Municipal Clerk of the Village of Antioch, Lake County, Illinois, and I do hereby certify that I am currently the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance titled:

AN ORDINANCE AUTHORIZING THE EXTENSION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE ANTIOCH POLICE DEPARTMENT AND THE BOARD OF EDUCATION OF ANTIOCH COMMUNITY HIGH SCHOOL DISTRICT 117

I certify that on _____, 2022, the Board of Trustees of Antioch (or the Corporate Authorities, if required by law) of Antioch passed and approved Ordinance No. 22-_____.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present at the meeting and that the meeting was held in compliance with all requirements of the Open Meetings Act (5 ILCS 120/1, *et seq.*).

The pamphlet form of Ordinance No. 22-_____, including the Ordinance and cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on _____, 2022 and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk and online.

DATED at Antioch, Illinois, this _____ day of _____, 2022.

Lori K. Romine, Village Clerk
Village of Antioch

(Seal)

**RECIPROCAL REPORTING SYSTEM AGREEMENT
BETWEEN THE ANTIOCH POLICE DEPARTMENT
AND THE BOARD OF EDUCATION
ANTIOCH HIGH SCHOOL DIST. 117**

WHEREAS, 105 LCS 5/10-20.14 requires that a school district's parent-teacher advisory committee must, in cooperation with local law enforcement agencies, develop guidelines for reciprocal reporting of criminal offenses committed by students; and

WHEREAS, the Antioch Police Department and the Board of Education of Community High School District 117, Lake County, Illinois desire to enter into an agreement to provide for the sharing of information to accomplish the purposes of the Act;

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. The parties to this Agreement are the Antioch Police Department and the Board of Education of Community High School District 117, Lake County Illinois;
2. Each party to this agreement shall designate a person or persons who shall transmit information and receive information from the designee(s) of each agency;
3. Each party may further designate additional designees who shall perform the duties of the original designee in the event of the original designee's unavailability;
4. Each party may perform the duties of the designee at any time that party feels such performance will further the objectives stated in this agreement;
5. The Board of Education's designee will arrange meetings, as necessary, between school district officials and local law enforcement officials for the purposes of sharing information with respect to criminal offenses committed by students enrolled in the District's schools. The school officials requested to attend such meetings shall be determined by the Superintendent. The local law enforcement officials invited to attend such meetings may include members of the State's Attorney's Office, juvenile police officers, juvenile probation officers, and the sheriff's office;
6. During the meetings, the school district officials and the members of the local law enforcement agencies shall report on the commission of criminal offenses when such offenses are committed by a student enrolled at the school;

7. During the meetings, the reporter of a criminal offense committed by a student or students enrolled in school shall identify the student or students purportedly involved in the commission of the criminal offense, and describe the circumstances of the purported criminal offense. Such information should be reported as said meetings as soon practicable after the school official or local law enforcement official determine that he/she has reason to suspect that a student or students is/are involved in criminal activity;
8. Information in written form may be transmitted among the designees by any agreed-upon method, including but not limited to United States Mail, delivery or facsimile; such sharing of written information may be according to an agreed upon schedule or an as needed basis. The information transmitted to local law enforcement officials of student records or information contained herein shall be in accordance with the Illinois School Student Records Act, the Federal Family Educational Rights and Privacy Act, and other applicable State and Federal Laws;
9. All information, whether verbal or written, may be further disseminated by any designee to any employee of his/her agency, when the designee believes such further dissemination is necessary to prove the objectives stated in this agreement;
10. Each party shall develop procedures for its own individual agency to ensure that any such information is not available to employees or persons other than as authorized by law;
11. No information described by this agreement shall be disclosed or made available in any form to any person or agency outside this agreement unless specifically authorized by law;
12. Law enforcement records, as defined by this agreement may be transmitted or copied by a school's designee pursuant to 705 ILCS 405/5-905 and/or another applicable state and federal laws;
13. Contents of law enforcement records may be further disseminated as provided for in paragraph 9 above subject to safeguards and restrictions described in paragraphs 10 and 11 above;
14. All information should include the name of all involved persons including those of students and minors;
15. All information should be transmitted as promptly as possible after received by the originating agency;
16. The District designee's responsibility under this agreement shall include provision of information pertaining to criminal offenses committed by students occurring in school, on school grounds, off school grounds at school-related activities, or against school personnel;

17. Child Sex Offender And Murderer Community Notification Law

a. Receipt of Information

- i. The Superintendent or his/her designee will serve as the District's contact person for the purposes of the Child Sex Offender and Murderer Community Notification Law and will so notify local law enforcement officials. The superintendent may at any time request information from law enforcement officials regarding child sex offenders.
- ii. The Superintendent may provide building principals and other supervisors with a copy of any report received from law enforcement officials containing the name, addresses and offense(s) or adjudication of child sex offenders.
- iii. The Superintendent may also provide relevant information concerning the name, addresses and offense(s) or adjudication of child sex offenders, to the following people:
 - A teacher may be told if a parent or guardian of one of his/her students is on the list.
 - The school counselor, nurse, social worker, or other school service person may be told if a parent or guardian of a student for whom he/she provide services is on the list.
 - Other school staff members may be provided a copy of the report, or information contained therein, on a need-to-know basis.
- iv. No person receiving a report received from law enforcement officials containing names, addresses and offense(s) or adjudication of child sex offenders, or any information contained in such a report, will provide it to any other person, except provided in these procedures, State Law, or as authorized by the Superintendent.

b. Use of Information

- i. The Superintendent and building principal may use reports received from law enforcement officials containing the names, addresses and offense(s) or adjudication of child sex offenders, to screen individuals who may come in contact with students at school or school events.

c. Informing Staff Members, Parents and Guardians About the Law

- i. The District may provide general information about the Illinois Child Sex Offender and Murderer Community Notification Law, (730 ILCS 152/101 et seq.) to staff members and parents and guardians of students, on an annual basis. Such information may be contained in the Parent-Student Handbook or may be provided by newsletter or other means. Parents and guardians may be advised that, in order to remain informed, they should periodically inquire about registered child sex offenders at the office of their local law enforcement officials.

- ii. If the Superintendent receives information that a child sex offender has registered in the area, he/she may send out a general bulletin to parents and guardians of District students that the District has been notified by law enforcement officials that a child sex offender has registered in the area. That bulletin also will direct parents desiring additional information to contact the office of their local law enforcement officials.
- iii. Requests for additional information by staff members and parents and guardians of students will be referred to local law enforcement officials.

18. The Illinois Criminal Code, the Juvenile Court Act, the Illinois School Student Records Act, the Federal Family Education Rights and Privacy Act and the School Law Enforcement Relations Handbook shall be used as references for definitions as needed; and

19. This agreement shall become effective on the date last signed and continue until either party terminates by written notice.

Antioch Police Department

SEPT 24th 2012

Date

By:

Craig Sunde APD

Chief of Police

Board of Education – Community High School District 117

10/17/12

Date

By:



Authorized Representative

**RECIPROCAL REPORTING SYSTEM AGREEMENT
BETWEEN THE LAKE VILLA POLICE DEPARTMENT
AND THE BOARD OF EDUCATION
LAKES HIGH SCHOOL DIST. 117**

WHEREAS, 105 LCS 5/10-20.14 requires that a school district's parent-teacher advisory committee must, in cooperation with local law enforcement agencies, develop guidelines for reciprocal reporting of criminal offenses committed by students; and

WHEREAS, the Lake Villa Police Department and the Board of Education of Community High School District 117, Lake County, Illinois desire to enter into an agreement to provide for the sharing of information to accomplish the purposes of the Act;

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. The parties to this Agreement are the Lake Villa Police Department and the Board of Education of Community High School District 117, Lake County Illinois;
2. Each party to this agreement shall designate a person or persons who shall transmit information and receive information from the designee(s) of each agency;
3. Each party may further designate additional designees who shall perform the duties of the original designee in the event of the original designee's unavailability;
4. Each party may perform the duties of the designee at any time that party feels such performance will further the objectives stated in this agreement;
5. The Board of Education's designee will arrange meetings, as necessary, between school district officials and local law enforcement officials for the purposes of sharing information with respect to criminal offenses committed by students enrolled in the District's schools. The school officials requested to attend such meetings shall be determined by the Superintendent. The local law enforcement officials invited to attend such meetings may include members of the State's Attorney's Office, juvenile police officers, juvenile probation officers, and the sheriff's office;
6. During the meetings, the school district officials and the members of the local law enforcement agencies shall report on the commission of criminal offenses when such offenses are committed by a student enrolled at the school;

7. During the meetings, the reporter of a criminal offense committed by a student or students enrolled in school shall identify the student or students purportedly involved in the commission of the criminal offense, and describe the circumstances of the purported criminal offense. Such information should be reported as said meetings as soon practicable after the school official or local law enforcement official determine that he/she has reason to suspect that a student or students is/are involved in criminal activity;
8. Information in written form may be transmitted among the designees by any agreed-upon method, including but not limited to United States Mail, delivery or facsimile; such sharing of written information may be according to an agreed upon schedule or an as needed basis. The information transmitted to local law enforcement officials of student records or information contained herein shall be in accordance with the Illinois School Student Records Act, the Federal Family Educational Rights and Privacy Act, and other applicable State and Federal Laws;
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15. All information should be transmitted as promptly as possible after received by the originating agency;
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 - The school counselor, nurse, social worker, or other school service person may be told if a parent or guardian of a student for whom he/she provide services is on the list.
 - Other school staff members may be provided a copy of the report, or information contained therein, on a need-to-know basis.
- iv. No person receiving a report received from law enforcement officials containing names, addresses and offense(s) or adjudication of child sex offenders, or any information contained in such a report, will provide it to any other person, except provided in these procedures, State Law, or as authorized by the Superintendent.

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- ii. If the Superintendent receives information that a child sex offender has registered in the area, he/she may send out a general bulletin to parents and guardians of District students that the District has been notified by law enforcement officials that a child sex offender has registered in the area. That bulletin also will direct parents desiring additional information to contact the office of their local law enforcement officials.
- iii. Requests for additional information by staff members and parents and guardians of students will be referred to local law enforcement officials.

18. The Illinois Criminal Code, the Juvenile Court Act, the Illinois School Student Records Act, the Federal Family Education Rights and Privacy Act and the School Law Enforcement Relations Handbook shall be used as references for definitions as needed; and

19. This agreement shall become effective on the date last signed and continue until either party terminates by written notice.

Lake Villa Police Department

September 26th 2012
Date

By:



Chief of Police



Board of Education - Lakes High School -- District 117

September 26, 2012
Date

By:



Authorized Representative